

#35 T. Lanham

9.19.96

Patent
188/167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:)	Group Art Unit: 2901
)	
ANTHONY MAGLICA)	Examiner: M. Tung
)	
Serial No. 07/411,576)	
)	
Filed: September 22, 1989)	
)	
For: MINIATURE FLASHLIGHT)	

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AUG 19 1996

GROUP 2900

SUBSTITUTE SECOND AMENDMENT AFTER FINAL REJECTION

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Substitute Second Amendment After Final Rejection replaces the Second Amendment After Final Rejection that was previously hand delivered to the Patent and Trademark Office on July 24, 1996, and which contained an unintended error in the drawings regarding the head of the flashlight which has not been brought into issue by this or the prior Second Amendment After Final Rejection.. The Substitute Second Amendment After Final Rejection is offered to reduce the issues on Appeal and intends to simply comply with the requirements set out by the Examiner as further clarified in the Advisory Action of

March 15, 1996. The application is presently on appeal and the Notice of Appeal was mailed on March 5, 1996. A request for a four-month extension of time was requested in the prior submission to ensure that the application is currently pending, but the Commissioner is hereby authorized to charge Deposit Account No. 12-2475 for any deficiency in fees.

Rather than simply attempt to further sketch changes, the Applicant has prepared a formal drawing. The drawing is intended to include everything submitted in the Amendment After Final Rejection dated February 23, 1996 and to make the appropriate corrections responsive to the Advisory Action of March 15, 1996.

Submitted herewith is the Declaration of Gerald R. Parker, the draftsman who created the submitted formal drawings. Applicant believes that this Declaration helps clarify the nature of the drawings in the present application.

Applicant is intending to reduce as many issues as possible to leave the single issue of the shape of the flashlight head, i.e., curved versus angled. The diameters of the added rings in Figures 3 and 4 reflect the shapes in Figures 1 and 2. Further, the threads have been appropriately oriented. Consequently, the drawings are believed to be acceptable with the exception of the head portion as mentioned above.

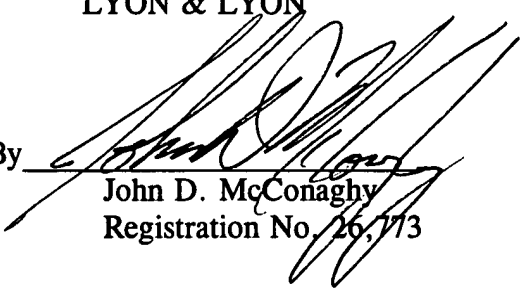
As the Appeal Brief is due very soon, the undersigned requests a telephone call in order that confirmation of acceptance or information regarding further required changes can be quickly made and, where necessary, satisfied.

Respectfully submitted,

LYON & LYON

August 16, 1996

By



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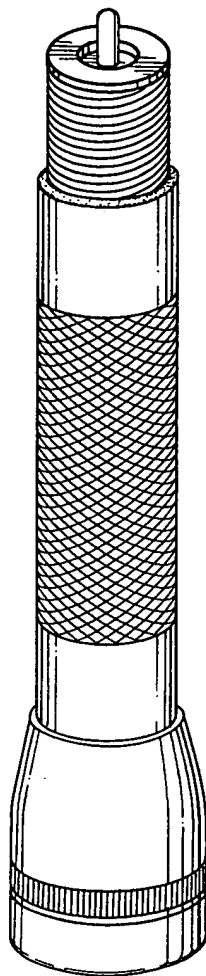


Fig. 1

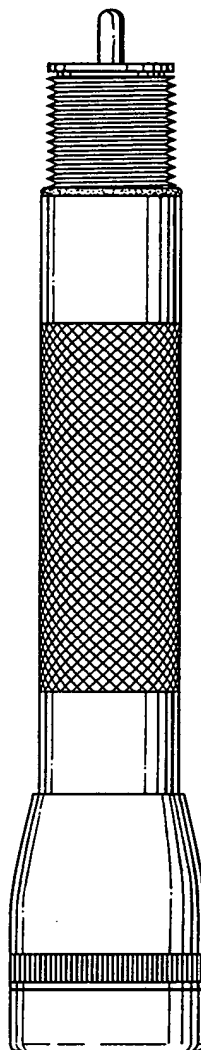


Fig. 2

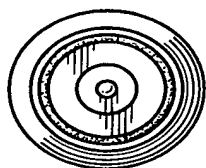


Fig. 3

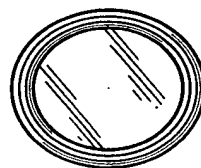


Fig. 4